

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Michael Carrabes,

Plaintiff,

v.

Expeditors International of
Washington, Inc.,

Defendant.

No. 1:24-CV-12142-AK

THIRD AFFIDAVIT OF ADAM CLERMONT

I, Adam Clermont, depose and state as follows:

1. I am an attorney licensed to practice law in the Commonwealth of Massachusetts and am counsel of record for Plaintiff Michael Carrabes in the above-captioned matter. I make this affidavit to provide an update to the Court based on newly obtained evidence, including a police report and a letter from the Hong Kong Law Society dismissing complaints made against me by the Defendant.
2. I have personal knowledge of the facts set forth in this affidavit, and if called upon to testify, I could and would testify competently to these facts.

Anonymous Emails

3. Defendant, Expeditors International of Washington, Inc. ("Defendant"), and its agents have taken conflicting positions regarding the "anonymous" emails sent from secure.report.500@proton.me.
4. First, Defendant has told this Court that it does not know the identity of the sender of these emails, as outlined in its filings and affidavits (e.g., the Affidavit of Matthew J. Lynch, dated February 4, 2025 (Doc No. 35)).
5. Second, Defendant has accused me personally of being the sender of the emails, as evidenced by a letter sent to me by Defendant's counsel on January 8, 2025, which threatened to sue me based on these unfounded allegations (Doc No. 41-1).
6. Third, newly obtained evidence, specifically a police report dated January 7, 2025, reveals that Defendant informed law enforcement that the sender of the emails was Gregory Hal Hutcheson. Mr. Hutcheson is not a party to this case, however, he has been identified as a person having discoverable information regarding the covert termination program in Plaintiff's Initial Disclosure. A copy of the police report is attached hereto as Exhibit 1.

Frivolous Complaints to the Hong Kong Law Society

7. Defendant, through its officers Jeffrey Dickerman (General Counsel), McCray Pettway (Assistant General Counsel) and Kevin Osborn (Chief Ethics and Compliance Officer), along with its subsidiary Expeditors Hong Kong Limited, also filed a complaint against me with the Hong Kong Law Society after I attempted to interview a witness regarding Defendant's covert termination scheme. A copy of the complaint is attached hereto as Exhibit 2.
8. The complaint interfered with my lawful and ethical efforts to obtain evidence for this case by hampering my ability to communicate with a witness that had relevant evidence regarding the covert termination scheme.
9. After I requested that Defendant withdraw its meritless complaint, it complained to the Hong Kong Law Society that my request was unethical.
11. Both complaints were ultimately dismissed by the Hong Kong Law Society as being entirely without merit. A letter from the Law Society confirming the dismissal of these complaints is attached hereto as Exhibit 3.

I verify under penalty of perjury that the foregoing is true and correct. Executed on 22 February 2025.

/s/ Adam Clermont

Adam Clermont

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of February 2025, a true copy of the foregoing document was filed electronically through the Court's CM/ECF system, is available for viewing and downloading from the ECF system, will be sent electronically to counsel of record as registered participants identified on the Notice of Electronic Filing and via first class mail to all non-registered participants identified on the Notice of Electronic Filing.

/s/ Adam Clermont

Adam Clermont